

DIAA Board of Directors' Meeting
Thursday, February 4, 2021 – 9:00 A.M.

Meeting Minutes

I. Opening

A. Call to Order

Dr. Bradley Layfield called the meeting to order at 9:01 a.m.

B. Roll Call

Board members Present: Dr. Bradley Layfield, Dr. Bradley Bley, Dr. Amelia Hodges, Dr. Matthew Donovan, Dr. Evelyn Edney, Vetra Evans-Gunter, Bruce Harris, Mike Hart, Jeremy Jeanne, Ted Laws, Chuck Little, Dorrell Green, Douglas Thompson, Stan Waterman, Michael Rodrigues – DOE Association Secretary

Board members absent: Dr. Kathleen Andrus, Robert Watson

Also present: DIAA Polk – DIAA Executive Director, Laura Makransky – Deputy Attorney General, Stephanie Mark – DIAA Coordinator.

Dr. Amelia Hodges and Dorrell Green, who were recently appointed to the DIAA Board of Directors, were introduced. Dr. Hodges is currently the Superintendent of Polytech School District. Mr. Green is the Superintendent of the Red Clay Consolidated School District.

C. Approval of Agenda

Doug Thompson made a motion to approve the agenda. The motion was seconded by Mike Hart. The motion carried with a vote 14 Yes [Bley, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Hodges, and Green] and 0 No.

D. Approval of Minutes of DIAA December 10, 2020 Board Meeting

Doug Thompson made a motion to table the approval of the minutes and the motion was seconded by Dr. Bradley Layfield. The motion carried with a vote 12 Yes [Bley, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, and Waterman], 0 No, and 2 Abstentions [Hodges and Green].

II. Action Items

A. Request to Waive Regulation 1008 2.4 and 1009 2.7 by Caravel Academy – 2021.1.4

Jeremy Jeanne made a motion to move into executive session to discuss the contents of a pupil file, the disclosure of which would constitute an invasion of personal privacy. The motion was seconded by Dr. Hodges. It carried unanimously with a vote of 14 – Yes [Bley, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Hodges, and Green] and 0 – No.

After the Board voted to move into executive session, Mike Breeding arrived late to the meeting at 9:08 a.m.

The Board entered into executive session.

After the Board entered into executive session, Bob Watson arrived at the meeting at 9:15 a.m.

Roll call was conducted when the Board members returned from executive session to establish quorum. Board members present: Bley, Breeding, Donovan, Edney, Evans-Gunther, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green. Dr. Layfield made a motion to return to open session which was seconded by Jeremy Jeanne. The motion carried with a vote of 16 – Yes [Bley, Breeding, Donovan, Edney, Evans-Gunther, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green] and 0 – No.

Mr. Cilento arrived late to the meeting at 9:40 a.m.

Jeremy Jeanne made a motion to grant the request for a waiver of 14 Del. Admin. C. § 1009-2.7.5.3 for the winter season 2020-2021, and for the spring season 2021 provided that Caravel Academy does not offer the sport in which the student athlete seeks to participate at the middle school level, because all five conditions for granting a waiver were established. The motion was seconded by Dr. Bradley Layfield. The motion carried unanimously with a vote 16 - Yes [Bley, Breeding, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Hodges, Watson, and Green] and 0 - No.

B. Request to Waive Regulation 1009 2.7 by Ursuline Academy – 2021.1.5

Dr. Layfield made a motion to enter into executive session to discuss the contents of a pupil file, the disclosure of which would constitute an invasion of personal privacy. The motion was seconded by Mr. Jeanne. The motion carried unanimously with a vote 17 - Yes [Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Hodges, Watson, and Green] and 0 - No.

The Board entered into executive session.

Roll call was conducted when the Board members returned from executive session to establish quorum. Board members present: Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Hodges, Watson, and Green. Dr. Layfield made a motion to return to open session, which was seconded by Mr. Hart. The motion carried unanimously with a vote 17 - Yes [Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green] and 0 – No.

Mr. Jeanne made a motion to grant the request for a waiver of 14 Del. Admin. C. § 1009-2.7.5.3 because all five conditions for granting a waiver were established. The motion was seconded by Dr. Layfield. The motion carried unanimously with a vote 17 - Yes [Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green] and 0 – No.

C. Ratification of Executive Director’s Decision to Grant Interim Waiver

i. Request to Waive Regulation 1009 2.7.5.3 by Tower Hill School

A motion to ratify the executive director’s decision to grant the requested waiver was made by Dr. Layfield and was seconded by Dr. Donovan. The motion carried unanimously with a vote 17 - Yes [Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green] and 0 – No.

ii. Request to Waive Regulation NFHS Basketball Rule 3 Section 4 Uniforms by Newark High School

A motion to ratify the executive director's decision to grant the requested waiver was made by Dr. Donovan and was seconded by Mr. Hart. The motion carried unanimously with a vote 17 - Yes [Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunther, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green] and 0 - No.

D. Approval of DIAA Annual Report to the Governor and General Assembly

A motion to approve the DIAA Annual Report was made by Dr. Layfield and seconded by Dr. Edney. The motion carried unanimously with a vote 17 - Yes [Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green] and 0 - No.

E. DIAA Sports Medicine Advisory Committee Report+
i. COVID-19 Return to Sport Form 2020-2021+

Dr. Bley has reviewed the updated COVID-19 Return to Sport Form with DPH. If a student athlete tests COVID positive and does quarantine for seven days, there is an additional six more days that student athlete will need to wait while going through the COVID positive return to play protocol. These guidelines are consistent with NFHS guidelines. This new guidance will provide a gradual and monitored return to play for safety issues. DIAA is not responsible for return to play guidance for students returning to physical education classes and/or youth sports as the question around this was brought up.

Dr. Bley made a motion that it is strongly recommended that this new return to play protocol be implemented immediately, but no later than Wednesday, February 10th. It must be in effect by 2/10/21. The motion was seconded by Ted Laws. The motion carried with a vote 15 Yes [Bley, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Waterman, Watson, Hodges, Green] 2 No [Breeding, Thompson.]

Dr. Layfield called for a break for 15 minutes and the Board reconvened at 11:50 a.m. Roll call was conducted when the Board members returned from break to establish quorum. Board members present: Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green.

F. Delaware Association of Athletic Directors (DAAD) Committee's Football Realignment Proposal

The Board discussed that the Heads of School of the Delaware Independent Schools Conference stated they did not receive the information and they are not comfortable voting on the matter at this time. The Superintendents did want to offer feedback on the proposal also.

Mr. Jeanne made a motion to table the football realignment proposal until the Board's February 11, 2021 meeting. The motion was seconded by Dr. Hodges and the motion carried unanimously with a vote of 17 - Yes [Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Jeanne, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green] and 0 - No.

III. Joint Legislative Oversight Sunset Committee Update

DIAA will present to the Joint Legislative Oversight and Sunset Committee next Wednesday, February 10th and will share DIAA's mission and purpose which includes providing opportunities for student athletes to participate in athletics. There will be an opportunity for public comment at the February 10 meeting and also at the February 16 Joint Legislative Oversight Sunset Committee's recommendations meeting. The final report will be released before the end of legislative session, which is expected for June.

IV. Other Items for Discussion Only

Executive Director Donna Polk updated the Board that Governor Carney has released updated guidance which states that quarantining after travelling out of state is no longer mandatory, but is highly recommended. DIAA tournaments are approved, but only with DPH approval. The gathering limit for athletic contests has been updated that two spectators per student athletes is permitted as of February 12, 2021.

Jeremy Jeanne left the meeting at 1:27 p.m.

The risk levels issued by the NFHS has changed for sports. Guidance for volleyball was also released from the NFHS which now permits head wraps being worn for religious reasons are now permitted.

V. Public Comment

Trina Leclerc welcomed the two new board members and introduced herself. She has been attending DIAA meetings since August 2018, particularly around the out of season coaching which some progress has been made through the Rules and Regulations Committee. The change in the quarantine requirement has had some student athletes asking how it effects their ability to play if they leave the state on non-school based teams and how they can or are to be quarantined from school based activities. There was a note circulating which said those athletes could not participate. There should be a note with updated guidance sent out to Athletic Directors as there are parents and student athletes who are wondering about the updating guidance. She is excited to attend the next Rules and Regulations committee and see what opportunities bring from the Sunset committee for DIAA. She thanked the committee for all their work.

VI. Adjournment

A motion to adjourn was made by Dr. Edney and was seconded by Mr. Hart. The motion carried unanimously with a vote of 16 - Yes [Bley, Breeding, Cilento, Donovan, Edney, Evans-Gunter, Harris, Hart, Laws, Layfield, Little, Thompson, Waterman, Watson, Hodges, and Green] and 0 - No.

The meeting adjourned at 1:31p.m.